

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH JOHN,

Plaintiff,

v.

Z. HUGHES,

Defendant.

No. 2:20-cv-00984-DAD-JDP (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING
ACTION, AND DENYING DEFENDANT'S
MOTION TO COMPEL AND MOTION FOR
SUMMARY JUDGMENT AS MOOT

(Doc. Nos. 32, 33, 36)

Plaintiff Joseph John is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 15, 2022, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed due to plaintiff's failure to prosecute, failure to comply with court orders, and failure to comply with the court's local rules, and that defendant's motion to compel discovery (Doc. No. 32) and motion for summary judgment (Doc. No. 33) be denied as moot. (Doc. No. 36.) The findings and recommendations were served on all parties and contained notice that any objections thereto were to be filed within fourteen (14) days of service. (*Id.* at 2.) No objections have been filed and the time to do so has since passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, court finds the findings and
3 recommendations to be supported by the record and proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on July 15, 2022 (Doc. No. 36) are
6 adopted in full;
- 7 2. This action is dismissed for failure to prosecute, failure to comply with court
8 orders, and failure to comply with the court's local rules;
- 9 3. Defendant's motion to compel discovery responses (Doc. No. 32) is denied as
10 moot;
- 11 4. Defendant's motion for summary judgment (Doc. No. 33) is denied as moot; and
- 12 5. The Clerk of Court is directed to close this case.

13 IT IS SO ORDERED.

14 Dated: September 6, 2022

15 
UNITED STATES DISTRICT JUDGE